

FILED

2016 FEB 16 AM 11:27

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

US District Court for the Middle District of TN

) Craig Cunningham

) Plaintiff, pro se

)

) v.

3:16-0222

CIVIL ACTION NO.

)

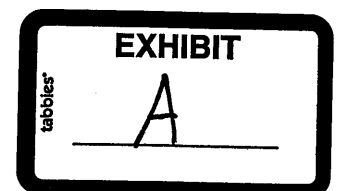
) Shoutpoint, Inc., Michael Montes, Tollfreezone.com, Inc., Shoutpoint, Inc., James
Christiano, Jeff Brian Zink

)

) Defendants

Plaintiff's Original Complaint

1. The Plaintiff in this case is Craig Cunningham, a natural person and was resident of Davidson County at all times relevant to the complaint, and currently has a mailing address of 5543 Edmondson Pike, ste 248, Nashville, TN 37211
2. Shoutpoint, Inc., is a California Corporation operating from 4695 Macarthur Court, ste 930, Newport Beach, CA 92260 and can be served by registered agent/CEO James Christiano at the same address as above.
3. James Christiano is a natural person and CEO of Shoutpoint, Inc., and can be served at 4695 Macarthur Court, ste 930, Newport Beach, CA 92260. Hereafter, the Plaintiff shall refer to Shoutpoint to mean Defendant Shoutpoint and James Christiano.



4. Michael Montes is the CEO of Tollfreezone.com, Inc., a currently suspended corporation that is still operating by Michael Montes and can be served at 26961 Via La Mirada, San Juan Capistrano, California 92675. Hereafter, the Plaintiff shall refer to Defendant Montes to mean both Michael Montes and Tollfreezone.com, Inc.
5. Tollfreezome.com, Inc., is a suspended California corporation that is still being operated by Michael Montes and can be served via corporate officer Michael Montes at 26961 Via La Mirada, San Juan Capistrano, California 92675.
6. Jeff Brian Zink is a natural person, a California resident living from 8160 N. Lake Dr., Apt A, Dublin, CA 94568. Hereafter, the Plaintiff shall refer to Tel-server to mean both Jeff Zink and Tel-server to the extent that it is a legal entity.

Jurisdiction

7. Jurisdiction of this court arises as the defendants continuous and systematic contacts within the state of Tennessee in placing numerous phone calls to consumers in the state of Tennessee as part of a robocall marketing campaign in which tens of thousands of phone calls were made to consumers across the country. Subject matter jurisdiction is apparent as the TCPA is a federal question under 28 USC 1331.
8. Specific personal jurisdiction is apparent for the defendants as the claims rise out of and are related to the contacts by the defendants to the Plaintiff residing in Tennessee, including but not limited to committing tortious conduct within Tennessee, causing injury to Tennessee residents arising out of acts and omissions